

REMARKS/ARGUMENTS

Status of the Application

In the Office Action, claims 14-16 and 23-26 were rejected. In this Response, claims 14-16 were amended to clarify that genes (a) and (b) are exogenous (see Examples 1-3 in Applicants' specification for support) and that disruption applies to the endogenous gene(s). Claims 14-16 were also amended to remove the second wherein clause from each claim because the clause is merely state the inherent result of the disruption(s) to the endogenous gene(s). Claims 14 and 15 were further amended to correct a grammatical mistake in clause (d) of claim 14 and clause (c) of claim 15. No new matter was added.

Priority

Applicants have amended the specification to clarify that the claims of the present application are entitled to priority from the U.S. Application No. 08/982,783 filed on December 2, 1997. There is at least one inventor in common between the present application and U.S. Application No. 08/982,783.

Rejections Under 35 U.S.C. § 112, 2nd Paragraph

Claims 14-16 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As stated above, Applicants amended claims 14-16 to clarify that genes (a) and (b) are exogenous and that disruption applies to each endogenous gene. Applicants thus respectfully submit that the rejections under 35 U.S.C. § 112, 2nd paragraph, have been obviated.

Rejections Under 35 U.S.C. § 102(e)

Claim 23 and 24 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bulthuis et al. (U.S. Patent No. 6,358,716). Claims 25 and 26 were rejected under 35 U.S.C. § 102(e) as being anticipated by Emptage et al. (U.S. Patent No. 6,514,733). Applicants respectfully traverse these rejections.

The present application is entitled to a priority date (December 2, 1997) that lies before the 102(e) date of Bulthuis et al. (May 11, 1999) and Emptage et al. (August 18, 2000). Thus, Applicants respectfully submit that Bulthuis et al. and Emptage et al. are not prior art to the present application.

Summary

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. In order to expedite disposition of this case, the Examiner is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Should there be a fee due which is not accounted for, please charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

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